

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

MULHOLLAND ENERGY SERVICES,
LLC,

Plaintiff

-vs-

KLAUS, INC.,

Defendant

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SA-24-CV-00093-XR

ORDER

On this date, the Court considered Third-Party Plaintiff Klaus, Inc.’s amended notice of dismissal without prejudice as to Third-Party Defendant Cleveland Integrity Services, LLC (“Cleveland”) pursuant to Federal Rule of Civil Procedure 41(a). ECF No. 29. Rule 41(a)(1) provides that a party may dismiss an action by filing either (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment, or (ii) a stipulation of dismissal signed by all parties who have appeared. FED R. CIV. P. 41(a)(1)(A). Because Third-Party Defendant Cleveland has not filed an answer or motion for summary judgment, dismissal under 41(a)(1)(A) is appropriate.

Accordingly, the Clerk is **DIRECTED** to terminate Third-Party Defendant Cleveland Integrity Services, LLC from this case.

It is so **ORDERED**.

SIGNED this 13th day of June, 2024.



XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE